IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 22950 of 2007(F)
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PETITIONER:
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THEYI, D/O.LATE MUNDAN, PANNIKUZHI
VEEDU, MANGADU, MUTTIL, WAYANAD.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENTS:
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1. DISTRICT COLLECTOR, WAYANAD.

2. TAHSILDAR, MANANTHAVADY.

BY GOVT. PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 22950/07

APPENDIX

PETITIONER'S EXHIBITS:

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|---|---|
| EXT.P1. | COPY OF THE DOCUMENT NO.2704/75 OF MANANTHAVADY SUB REGISTRAR'S OFFICE |
| EXT.P2. | COPY OF THE DOCUMENT NO.2705/75 OF MANANTHAVADY SUB REGISTRAR'S OFFICE |
| EXT.P3. | COPY OF REQUEST DT. 7.3.07 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT |
| EXT.P4. | COPY OF CERTIFICATE DT. 28.2.07 ISSUED BY THE SOUTH GRAMIN BANK, VAZHAVATTA |
| EXT.P5. | COPY OF CERTIFICATE DT. 28.2.07 ISSUED BY THE SOUTH GRAMIN BANK, VAZHAVATTA |
| EXT.P6. | COPY OF CERTIFICATE DT. 28.2.07 ISSUED BY THE SOUTH GRAMIN BANK, VAZHAVATTA |
| EXT.P7. | COPY OF CERTIFICATE DT. 28.2.07 ISSUED BY THE SOUTH GRAMIN BANK, VAZHAVATTA |
| EXT.P8. | COPY OF REPORT DT. 23.5.07 FROM THE 2ND RESPONDENT TO THE 1ST RESPONDENT |
| EXT.P9. | COPY OF LETTER DT. 3.7.07 ISSUED BY THE 1ST RESPONDENT |

/TRUE COPY/

PA TO JUDGE.

**ANTONY DOMINIC, J.**

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**W.P.(C). NO. 22950 OF 2007**

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**Dated this the 31st day of October, 2007**

**J U D G M E N T**

Petitioner submits that for sanction of the 1st respondent to alienate 8.8 acres of land belonging to her, Ext.P3 application was submitted under Section 4 of the Kerala Scheduled Tribes (Restriction on Transfer of Lands and Restoration of Alienated Lands) Act 1975. It is submitted that though the application Ext.P3 was got enquired into through the revenue officers, the same was rejected as per Ext.P9. Ext.P9 shows that 1st respondent has not given any reason for rejecting the request, but it only states that there are no sufficient reasons. In my view, Ext.P9 is a laconic order without any reasons and it reflects non application of mind and hence it has to be quashed.

Therefore I dispose of this writ petition quashing Ext.P9 and with a direction to the 1st respondent to consider Ext.P3 application filed by the petitioner, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment. Before final orders are passed, petitioner shall be put on notice.

**ANTONY DOMINIC, JUDGE**

vps